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April 15, 2024

Via CM/ECF

Honorable Christian F. Hummel
U.S. Magistrate Judge
United States District Court
Northern District of New York

Re: *New York State Rifle & Pistol Association, Inc. v. James*, No. 1:22-cv-00907
(MAD/CFH)

Dear Judge Hummel:

Plaintiffs in the above-captioned case seek, pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, the Court's leave to file a Second Amended Complaint. Counsel for Defendants have consented in writing to Plaintiffs filing a Second Amended Complaint. *See Exhibit A.* Attached to this letter are an unsigned copy of the proposed Second Amended Complaint (*Exhibit B*) and a "redline" copy showing the specific changes Plaintiffs propose to make (*Exhibit C*).

In these circumstances, Plaintiffs respectfully submit that a pre-motion court conference ordinarily required by Local Rule 7.1 is not necessary. Accordingly, Plaintiffs request that the Court grant Plaintiffs leave to file a Second Amended Complaint without a pre-motion court conference. In the alternative, should the Court deny Plaintiffs leave to file a Second Amended Complaint, Plaintiffs respectfully request that the Court set a deadline of 14 days after that denial for Plaintiffs to file a brief in opposition to the pending motion to dismiss. (ECF Nos. 30, 53).

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Dated: April 15, 2024

Respectfully submitted,

/s/ John Parker Sweeney

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CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2024, the foregoing was served, via the Court's CM/ECF Document Filing System, upon all registered CM/ECF users in this action.

/s/ John Parker Sweeney

Counsel for Plaintiffs